

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADRIANE GARDEA,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

No. 2:24-cv-03383-DAD-AC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND REMANDING
THIS ACTION TO THE SACRAMENTO
COUNTY SUPERIOR COURT

(Doc. Nos. 8, 11)

Plaintiff Adriane Gardea is a state prisoner proceeding through counsel. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 13, 2025, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's unopposed motion to remand this action to the Sacramento County Superior Court be granted. (Doc. No. 11 at 3.) Specifically, the magistrate judge concluded that because plaintiff's first amended complaint deleted the Eighth Amendment claim that had been asserted in her original complaint, it was within the court's discretion whether to exercise supplemental jurisdiction over plaintiff's remaining state law claims. (*Id.* at 1–2.) Because defendants did not oppose remand and “this case is in its early stages,” the magistrate judge concluded that remand to state court was appropriate. (*Id.* at 2.) The pending findings and

1 recommendations were served on the parties and contained notice that any objections thereto
2 were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date, no objections to the
3 findings and recommendations have been filed, and the time in which to do so has now passed.

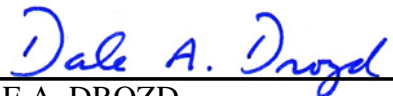
4 Two days after the pending findings and recommendations were issued, on January 15,
5 2025, the Supreme Court issued its decision in *Royal Canin U. S. A., Inc. v. Wullschlegel*, 604
6 U.S. 22 (2025), holding that “[w]hen an amendment excises the federal-law claims that enabled
7 removal, the federal court loses its supplemental jurisdiction over the related state-law claims.
8 The case must therefore return to state court.” 604 U.S. at 25. Consequently, the court will adopt
9 the recommendation that this case be remanded to the Sacramento County Superior Court, while
10 noting that it lacks discretion to do otherwise pursuant to the Supreme Court’s subsequent
11 decision in *Royal Canin*.

12 Accordingly:

- 13 1. The findings and recommendations issued on January 13, 2025 (Doc. No. 11) are
14 ADOPTED, as discussed in this order;
- 15 2. Plaintiff’s motion to remand (Doc. No. 8) is GRANTED;
- 16 3. This action is REMANDED to the Sacramento County Superior Court; and
- 17 4. The Clerk of the Court is directed to CLOSE this case.

18 IT IS SO ORDERED.

19 Dated: June 9, 2025

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21 DALE A. DROZD
22 UNITED STATES DISTRICT JUDGE
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